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RUEHNE/AMEMBASSY NEW DELHI PRIORITY 2302  
RUEHDE/AMCONSUL DUBAI PRIORITY 1670  
RUEHKP/AMCONSUL KARACHI PRIORITY 8156  
RUEHLH/AMCONSUL LAHORE PRIORITY 4143  
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C O N F I D E N T I A L SECTION 01 OF 03 ISLAMABAD 004994

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E.O. 12958: DECL: 11/23/2017

TAGS: [PGOV](#) [PHUM](#) [PK](#) [PREL](#)

SUBJECT: PAKISTAN: SLOW PROGRESS ON RESTORING POLITICAL RIGHTS

Classified By: Anne W. Patterson, Reasons 1.4 (b), (d)

11. (C) Summary: The government of Pakistan is making slow progress on restoring political rights under the still enforced state of emergency. The GOP's apparent "catch and release" policy and the bureaucratic lag between national release announcements and actual action at the local level make it particularly difficult to track accurately actual numbers of detainees. It appears that several thousand opposition political party activists have been released, including key party leaders, but others continue to be arrested for participating in demonstrations that are illegal under the state of emergency. Most lawyers have been released, but leaders like Aitzaz Ahsan and Munir Malik remain in jail. Post has met with Ahsan's wife, who now sees her husband regularly; the government has yet to allow access to Malik. The government has restored access to all private TV channels except Geo; journalists continue to protest media restrictions and continue to be arrested for their participation in anti-government rallies. Key human rights activists like Asma Jehangir have been released. The former Chief Justice and his court remain under house arrest. President Musharraf on November 21 signed an order that amends the constitution to legalize actions he has taken under the state of emergency (septel); this may be the prerequisite for lifting the emergency and restoring additional political rights. End summary.

#### ANNOUNCEMENT OF RELEASES

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12. (U) Officials at the Ministry of Interior (MOI) announced on November 21 that they planned to release large numbers of opposition supporters, giving the power and responsibility of the releases to the newly-installed caretaker provincial leaders. On this same day, MOI spokesman Javed Iqbal Cheema said in press statements that 3,400 people had been released with 2,000 more expected to be released. Consulate reports indicate that while releases are occurring, a number of simultaneous arrests are also taking place. Many detainees are being asked to sign an "undertaking" which stipulates that the signatory would not take part in any illegal activity in the future, specifically rallies and demonstrations.

Political Party Leaders/Workers

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13. (U) Since the imposition of a state of emergency, the parties targeted for arrest have shifted. Initially, the GOP concentrated on the Pakistan Muslim League-Nawaz, and the religious and nationalist parties. After Pakistan People's Party (PPP) leader Benazir Bhutto announced plans for anti-government rallies, the focus switched to the PPP. However, under the most recent MOI announcement, leaders and workers from all parties have seen some of their brethren released, including a large number of PPP members in Karachi.

Bhutto was placed under house arrest in Islamabad hours before she was to lead an anti-government rally in Rawalpindi on November 9 and then again on November 12 before she was to lead her party on the "Long March" from Lahore to Islamabad. Two days into his hunger strike, Imran Khan, former cricket star and leader of the Pakistan Tehreek-e-Insaf (PTI), was released on November 21 after being arrested a week prior at Punjab University where he was to lead an anti-government rally. The acting president of Pakistan Muslim League - Nawaz (PML-N), Javed Hashimi, was also released on November 21 from Mianwali jail. The Vice-President for Jamaat-i Islami (JI), Liaqat Baloch, and Awami National Party (ANP) leader, Asfundyar Wali, were also released on November 22. Despite the number of high-profile releases, many political activists from each of the opposing parties remain behind bars.

#### Lawyers

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14. (C) The lawyers' associations continue to be in the

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vanguard of protesters, and many who are not protesting are boycotting the courts. On November 10, the GOP released approximately 350 Lahore lawyers detained after a massive lawyer's protest on November 5. Another 42 lawyers were released in Lahore after the MOI announcement with the promise of many more releases to come. Many others remain in detention despite assertions that they have been released. The presidents of the most of the country's bar associations remain imprisoned, including Baz Mohammad Kaker of the Balochistan Bar Association, and Hadi Shakeel of the High Court Bar Association.

15. (C) Former president of the Pakistan's Supreme Court Bar Association, Munir Malik, was arrested shortly after the proclamation of emergency for taking part in a talkshow on ARY TV in Islamabad. He was moved from a jail in Rawalpindi to more distant and allegedly tougher district jail in Attock, near the Northwest Frontier Province (NWFP), and the MOI continues to deny his wife's requests for visitation. On November 17 and 21, PolOff met Bushra Aitzaz, the wife of Pakistan's Supreme Court Bar Association president Aitzaz Ahsan. Ahsan has been detained at Adiala Prison (Rawalpindi) under a "Maintenance of Public Order" order since the start of the emergency. Bushra reports that she now able to meet with her husband regularly and that he is doing well.

#### Journalists

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16. (U) Although the majority of the television and radio stations have been restored, journalists continue to protest the state of emergency, the government's new media code of conduct and the continued ban on Geo TV transmissions. On November 21, approximately 160 journalists, including one American citizen with DAWN News, were arrested at the Karachi Press Club and then released later that evening after they participated in a peaceful protest against the government-imposed curbs on the media. Ambassador visited the Geo studios in Karachi November 19 to make a public statement protesting the continued ban on Geo broadcasts.

## Human Rights Advocates

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¶17. (U) Although the GOP claimed that the arrests were necessary in order to stop the spread of terrorist activities, human rights activists also found themselves facing similar fates. The HRCP Chairman Asma Jehangir was placed under house arrest in Lahore on the evening of the emergency proclamation along with several other HRCP members and Irfan Barkat with the National Commission for Justice and Peace. Despite the international outcry against the detention of these advocates, Asma and many others were not released until the MOI announcement.

## Judges

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¶18. (U) According to the Human Rights Commission of Pakistan (HRCP), approximately twenty of Pakistan's judges have been arrested or placed under house arrest since the November 3 proclamation of a state of emergency. The Pakistan Supreme Court Justices, including former Chief Justice Iftikhar Muhammad Chaudhry, were placed under house arrest. Local media reported that the GOP was allowing the justices freedom of movement, but when this theory was tested by several of Chaudhry's supporters after the November 21 prisoner-release announcement, they were denied entry by the police that continue to block the judicial enclave. Many of the arrests were the result of judges at both the national and provincial levels refusing to take the oath under the PCO, especially many of those from the High Sindh Court.

¶19. (C) Comment. The GOP restored access to many media channels during the Deputy Secretary's visit and announced the mass release of detainees shortly thereafter. The government is clearly getting the message about the damage of continued human rights violations, and is slowly restoring civil liberties. But the GOP's "catch and release" policy

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indicates it will continue to use arrests to stifle dissent and participation in anti-government rallies. End Comment.  
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